

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 29, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-24985 - APPLICANT: JOHN DUDEK - OWNER:
MOUNTAIN VIEW PROFESSIONAL PROPERTIES, LLC**

**** CONDITIONS ****

STAFF RECOMMENDATION: **APPROVAL**, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for a General Retail Store, Other Than Listed (Less than 3,500 Square Feet) use.
2. Conformance to the conditions for Rezoning (Z-0068-85), and Site Development Plan Review (SDR-2034) if approved.
3. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Special Use Permit to allow a proposed General Retail Store, Other Than Listed (Less than 3,500 Square Feet) use to be located in the Las Vegas Technology Center Planned Business Park. The applicant is seeking to operate a 1,621 square-foot sporting goods store at 6970 Smoke Ranch Road, Suite #110 in the suite adjacent to his oral surgery clinic located in Suite #150.

Staff finds that the location and relatively small size of the proposed General Retail Store, Other Than Listed use will have minimal impact on the surrounding properties. Therefore, staff recommends approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/20/85	The City Council approved a Rezoning (Z-0068-85) from N-U (Non-Urban) to C-PB (Planned Business Park) on this site as part of a larger request. The Planning Commission recommended approval on 10/22/1985.
01/22/97	The City Council approved a Site Development Plan Review [Z-0068-85(34)] for a proposed 43,712 square foot retail center, office complex, and distribution center on a portion of this site. The Planning Commission recommended approval on 12/19/1996.
05/15/02	The City Council approved a Site Development Plan Review [Z-0068-85(61)] for a proposed 69,000 square foot office development consisting of 10 buildings on 7.50 acres located to the west of this site. The Planning Commission and Staff recommended approval on 4/11/02.
02/11/03	The Las Vegas Technology Center (Phase I) Architectural Review Committee conditionally approved this development.
05/21/03	The City Council approved a request for a Site Development Plan Review (SDR-2034) and a Reduction in the Amount of Perimeter Landscaping for a proposed 84,500 square foot, 8 building Office Park adjacent to the northwest corner of Smoke Ranch Road and US 95. The Planning Commission and Staff recommended approval on 4/23/03.
<i>Related Building Permits/Business Licenses</i>	
06/13/06	P/C# C-0115-04: Plan Check for shell construction of 4,813 SF (Building K)
06/13/06	P/C# L-4003-05: Plan Check number for tenant improvement for Suite #150 NOTE: A Building Permit for a Tenant Improvement for Suite #110 has not been requested yet.
06/03/06	Business License #Q07-00141 issued for Dental Practice (Oral Surgery Clinic) located at 6970 Smoke Ranch Road, Suite #150

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<i>Pre-Application Meeting</i>	
09/24/07	A pre-application meeting was held with a representative of the applicant to discuss the requirements for operating a 1,621 SF General Retail Store (Sporting Goods) in the Las Vegas Technology Center. Staff determined that a Special Use Permit is required prior to approval of a business license for this location.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required, nor was one held.	

<i>Field Check</i>	
10/30/07	A field check was performed by staff with the following observations: <ul style="list-style-type: none"> Existing Oral Surgery Clinic located in neighboring Suite #150. Adequate parking for the proposal provided at the proposed location (Suite #110).

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.48 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Las Vegas Technology Center	LI/R (Light Industrial/Research)	C-PB (Planned Business Park)
North	Las Vegas Technology Center	LI/R (Light Industrial/Research)	C-PB (Planned Business Park)
South	Las Vegas Technology Center	LI/R (Light Industrial/Research)	C-PB (Planned Business Park)
East	Las Vegas Technology Center	LI/R (Light Industrial/Research)	C-PB (Planned Business Park)
West	Las Vegas Technology Center	LI/R (Light Industrial/Research)	C-PB (Planned Business Park)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Technology Center	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District – 140 Feet	X		Y
Trails		X	NA
Rural Preservation Overlay District		X	NA
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

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DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

As shown in Table 12-16, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
General Retail, Other Than Listed, (Less than 3,500 SF)	1,621 SF	1:175 SF of GFA	10 spaces				Y
Office, other than listed	82,879 SF	1/300 GFA	270 Spaces				Y
SubTotal	84,500 SF		287 Spaces	7 spaces	406 Spaces	9 Spaces	Y
TOTAL (including handicap)			287 Spaces		415 spaces		Y

ANALYSIS

- Land Use and Zoning**

The location of this proposal is within the Las Vegas Technology Center (Phase I), in the C-PB (Planned Business Park) Zoning District. Per Title 19.04.010, a General Retail Store, Other Than Listed use that is less than 3,500 square feet is only permitted in the C-PB (Planned Business Park) Zoning District with an approved Special Use Permit. The applicant is seeking to add a General Retail Store, Other Than Listed, (Less than 3,500 square feet) in Suite 110, adjacent to the suite in which he currently operates a Dental Office. The applicant intends to operate a 1,621 square foot sporting goods store. If approved, the entitlement of operating a General Retail Store, Other Than Listed, will be limited to Suite 110 only and will expire if the use ceases for 12 months or more.

- Site Plan and Parking**

The existing building ("Building K") was approved as part of an eight building office development under the Site Development Plan Review (SDR-2034). The original approval required 275 parking spaces for 84,500 square-feet of office space. The proposed General Retail Store, Other Than Listed, (Less Than 3,500 square feet) requires an additional ten spaces based on the parking ratio of one space per 175 square feet of gross floor area. The overall reduction of the Office space from the original 84,500

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square-foot approval is calculated at approximately 82,879 square-feet. This requires 277 parking spaces (including handicapped-accessible spaces) based upon the requirement of one space per 300 square feet of Office space. The combined parking requirement of 287 parking spaces is still below the 415 spaces provided. Staff finds that this proposal will have minimal impact on the site regarding access or parking; therefore, we recommend approval.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

As the proposed General Retail, Other Than Listed, (Less Than 3,500 square feet) use is relatively small and will be operated within a two-suite building in which the applicant owns, staff finds that the proposal can be conducted in a manner that is compatible with the adjacent office properties.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

The subject site has enough parking and provides adequate access for the relatively small existing 1,621 square-foot suite that will accommodate the proposed General Retail Store. Staff finds that the intended use of a sporting goods store owned and operated by the building owner, who operates an oral surgery clinic in the adjacent suite, to have minimal potential impact on the surrounding business park.

3. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

The subject site is adjacent to Smoke Ranch Road, a 100-foot wide primary arterial, and Cathedral Rock Drive, a 60-foot wide collector street. Both of these roadways have adequately served the existing office development and have the capacity to accommodate the demand of the proposed 1,621 square-foot sporting goods store.

4. **“Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

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The proposal is consistent with the objectives of the General Plan and will not, as a result, compromise the public health, safety, and welfare. Additionally, per Article III of the Las Vegas Technology Center Covenants, Conditions, and Restrictions (Phase I), retail uses in support of the primary permitted uses are allowable.

5. The use meets all of the applicable conditions per Title 19.04.

The proposed General Retail Store, Other Than Listed, (Less Than 3,500 square feet) use meets all conditional use regulations in that the applicant is not selling or dispensing automotive fuels, selling alcohol, or performing outdoor storage or sales.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 37

SENATE DISTRICT 3

NOTICES MAILED 2,436

APPROVALS 6

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